

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2010 Legislative Session

Legislative Day # 11

BILL NO. 2010-11

Introduced by: Charles County Commissioners

NOISE CONTROL

Date introduced: 07 / 13 / 2010

Public Hearing: 07 / 27 / 2010 @ 3:00 p.m.

Commissioners Action: 09 / 07 / 2010 Enact

Commissioner Votes: EP: Y, RC: Y, SG: Y, GH: Y

Pass/Fail: Pass

Effective Date: 10 / 25 / 2010

Remarks: _____

NOTE: CAPITALS indicate matter added to existing text.
[Brackets] indicate matter deleted from existing law. 1

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2010 Legislative Session

Bill No. 2010-11

Chapter. No. 260

Introduced by Charles County Commissioners

Date of Introduction 07/13/2010

BILL

1 AN ACT concerning

2 NOISE CONTROL

3
4 FOR the purpose of

5 Amending the language in Chapter 260 of the Charles County Code to more clearly state
6 where noise measurements are taken, so that it is consistent with the language in the Code
7 of Maryland Regulations.

8
9 BY repealing and reenacting, with amendments:

10 Chapter 260. Noise Control.

11 Section 260-2. Definitions.

12 Section 260-3. Noise exceeding measurable standards.

13 *Code of Charles County, Maryland*

14 (1994 edition, 2006 supplement)

15
16 **SECTION 1.** BE IT ENACTED BY THE COUNTY COMMISSIONERS OF
17 CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as
18 follows:

19 **§ 260-2. Definitions.**

1 In this chapter, the following terms have the meanings indicated. Any term not defined in this
2 chapter shall have the meaning as defined in any chapter of the Code. Any term not defined in the
3 Code in any chapter shall have its generally accepted meaning.

4 **Commercial Land Use** -- Property zoned or used for the sale of goods or services or for office
5 uses.

6 **Daytime** -- Between 7:00 a.m. and 10:00 p.m., local time.

7 **DBA** -- Abbreviation for the sound level in decibels determined by the A-weighting network of a
8 sound level meter or by calculations from octave band or 1/3 octave band data.

9 **Decibel (dB)** -- A unit of measure equal to 10 times the logarithm to the base ten of the ratio of a
10 particular sound pressure squared to a standard reference pressure squared. For the purpose of
11 this chapter, 20 micropascals shall be the standard reference pressure.

12 **Department** -- The Charles County Health Department.

13 **Director** -- The Director of Environmental Health.

14 **Enforcement officer:**

15 A. For a noise originating from any source:

16 (1)An employee or agent of the Department designated by the Director to enforce
17 this chapter;

18 (2)A law enforcement officer;

19 (3)A person authorized under the Zoning Ordinance to enforce this chapter; or

20 (4)A person authorized by the County to enforce this chapter.

21 B. For a noise originating from an animal source, the Chief of the Division of Animal
22 Control Services or the Chief's authorized designee.

23 **Industrial Land Use** -- Property zoned or used for manufacturing or storing goods.

24 **Nighttime** -- Between 10:00 p.m. and 7:00 a.m., local time.

25 **Person** -- Any individual, group, firm, association, agency or other entity.

1 **Public Property** -- Any real property or structures thereon that are owned, leased, or controlled
2 by a governmental entity, including any street, avenue, boulevard, road, highway, sidewalk, alley
3 or easement that is owned, leased, or controlled by a governmental entity.

4 **RECEIVING PROPERTY** – ANY REAL PROPERTY WHERE PEOPLE LIVE OR WORK
5 AND WHERE NOISE IS HEARD, INCLUDING AN APARTMENT, CONDOMINIUM UNIT,
6 OR COOPERATIVE BUILDING UNIT.

7 **Residential Land Use** -- Property zoned or used for dwellings.

8 **Sound** -- An oscillation in pressure, particle displacement, particle velocity or other physical
9 parameter, in a medium with internal forces that causes compression and rarefaction of that
10 medium. The description of sound may include any characteristic of such sound, including
11 duration, intensity and frequency.

12 **Sound Level** -- The weighted sound pressure level obtained by the use of a sound level meter
13 and frequency weighting network, such as A, B, or C as specified in American National
14 Standards Institute specifications for sound level meters (ANSI S1.4-1971, or the latest approved
15 revision thereof). If the frequency weighting employed is not indicated, the A-weighting shall
16 apply.

17 **Sound Level Meter** -- An instrument designed to measure noise levels, meeting American
18 National Standards Institute S1.4-1971 - Specifications for Type 2 Sound Level Meters.

19
20 **§ 260-3. Noise exceeding measurable standards.**

21 A. It is prohibited for any person located within the County to make any noise or operate any
22 sound amplifier on any property owned or occupied by such person, or to permit any noise to be
23 made or any sound amplifier to be operated on property owned or occupied by such person, [so
24 as to be clearly audible to any person located beyond the property line of such property at a level
25 higher than those set forth in Subsection B of this section, as such sound may be measured from:
26 a) any point along the front line of the property or any part of the perimeter property line upon
27 which the noise is being made or generated; or b) any place on adjacent property, provided that

the person measuring the sound shall first obtain the permission of the adjacent property owner to enter upon said property] AT A LEVEL THAT EXCEEDS THE SOUND LEVELS SET FORTH IN TABLE 260-1, WHEN MEASURED AT THE PROPERTY LINE OF THE RECEIVING LAND.

B. The noise prohibited in Subsection A of this section shall include noise exceeding the following standards:

Table 260-1: Maximum Allowable Noise Levels (dBA)

Measured at Receiving Land Uses

Land Use of Receiving Property	Maximum Decibel Level
Industrial	75 dBA, daytime or nighttime
Commercial	67 dBA, daytime; 62 dBA, nighttime
Residential	60 dBA, daytime; 50 dBA, nighttime

C. Construction noise limits. A person may not cause or permit noise levels emanating from construction or demolition site activities which exceed:

(1) 90 dBA from 7:00 a.m. to 10:00 p.m., weekdays;

(2) The levels specified in Table 260-1 for nighttime hours at any other time.

D. The equipment and techniques employed in the measurement of noise levels may be those recommended by the Maryland Department of the Environment, which may, but need not, refer to currently accepted standards or recognized organizations, including but not limited to the American National Standards Institute (ANSI), American Society for Testing and Materials (ASTM), Society of Automotive Engineers (SAE), and the United States Environmental Protection Agency (EPA).

SECTION 2. BE IT FURTHER ENACTED, that this Act shall take effect [FORTY-FIVE (45)]
calendar days after it becomes law.

COUNTY COMMISSIONERS OF
CHARLES COUNTY, MARYLAND

Edith J. Patterson, Vice President

Reuben B. Collins, II

Samuel N. Graves, Jr.

Gary V. Hodge

ATTEST:

Denise Ferguson, Clerk